

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**SPECIAL CIVIL APPLICATION No. 8124 of 1990****For Approval and Signature:****HONOURABLE MR.JUSTICE M.R. SHAH**

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1 Whether Reporters of Local Papers may be
allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the
fair copy of the judgment ?

4 Whether this case involves a substantial
question of law as to the interpretation
of the constitution of India, 1950 or any
order made thereunder ?

5 Whether it is to be circulated to the
civil judge ?

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D K PATEL & 3 - Petitioner(s)
Versus
KASHIBEN M PATEL & 4 - Respondent(s)

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Appearance :

MR JV MEHTA for Petitioner(s) : 1 - 4.
MR YN OZA for Respondent(s) : 1, 3,
UNSERVED-EXPIRED (R) for Respondent(s) : 2,
RULE SERVED for Respondent(s) : 4 - 5.

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH**Date : 25/10/2005****ORAL JUDGMENT**

1.Shri JV Mehta, learned advocate appearing on behalf of
the petitioners seeks permission to withdraw the
present Special Civil Application as the petitioners
propose to move an appropriate application before the

Competent Authority for regularization of the transfer and if necessary for *ex-post facto* permission. He has further submitted that the petitioners will be submitting an application within a period of four weeks from today and as and when such an application is made, the same may be considered by the appropriate authority in accordance with law and on merits after giving opportunity to the parties. However, it is made clear that this court has not expressed any opinion on merits with regard to the said application and it is ultimately for the Competent Authority to consider the same after giving opportunity to the petitioners as well as the original land owner and/or heirs of the original land owner.

2. With the above observations and directions, the present Special Civil Application is permitted to be withdrawn. Rule is discharged. Ad interim relief if any, stands vacated forthwith. However, there will be no order as to costs.

(M. R. SHAH, J)

Shekhar/-